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December 6, 2024

VIA ECF

Hon. Katherine Polk Failla
Thurgood Marshall
United States Courthouse
40 Foley Square
New York, NY 10007

MEMO ENDORSED

Re: *Copperweld Bimetallics, LLC v. Exponent Inc.*
No. 1:24-mc-00457
Consented to request for extension of time

Dear Judge Failla:

We represent Exponent Inc. (“Exponent”) in this matter, which consists of Cerro Wire LLC’s (“Cerro Wire”) motion to compel Exponent to produce documents in response to Cerro Wire’s subpoena in an action pending in the Northern District of Alabama. (ECF # 1-3) Exponent’s opposition to the motion to compel is currently due today, December 6, 2024. (ECF # 12)

On behalf of Exponent and Cerro Wire, we can advise the Court we have reached a resolution regarding the subject discovery and contemplate that the motion will be withdrawn; however, we would jointly, respectfully request a short (one week) extension of time for Exponent’s opposition to allow Exponent to finalize and provide Cerro Wire with a declaration regarding the authenticity of certain documents.

The Court granted one previous extension sua sponte, and the parties sought two further extensions as we worked on resolution (*see* ECF # 9-10 [extension from 11/15/24 to 11/27/24] and ECF # 11-12 [extension from 11/27/24 to 12/6/24]). As referenced, this would be a final extension in contemplation of the motion being withdrawn.

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Thank you for your consideration.

Respectfully submitted,

RIVKIN RADLER LLP

/s/ Paul V. Majkowski
Paul V. Majkowski

Enclosure

cc: All Counsel (via ECF)

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4921-5722-5988, v. 1

Application GRANTED *nunc pro tunc*. In light of parties' representation that they have reached a resolution and contemplate that the motion to compel will be withdrawn, the Court hereby ADJOURNS the deadline for Exponent to file its opposition to on or before **December 13, 2024**. The Court does not contemplate granting further extensions.

The Clerk of Court is directed to terminate the pending motion at docket entry 13.

Dated: December 9, 2024
New York, New York

SO ORDERED.



HON. KATHERINE POLK FAILLA
UNITED STATES DISTRICT JUDGE